



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

NAKIA LARON GERMAN,  
aka Nakia Leone German,  
Plaintiff,

vs.

HENRY DARGAN MCMASTER,  
Attorney General, et al.,  
  
Defendants.

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CIVIL ACTION NO. 2:10-2916-HFF-BHH

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ORDER

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This case was filed as a civil rights action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that the above-captioned case be dismissed without prejudice and without issuance and service of process. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on November 15, 2010, but Plaintiff failed to file any objections to the Report.\* In the absence of such objections, the Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court that the above-captioned case be **DISMISSED** without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

Signed this 31st day of January, 2011, in Spartanburg, South Carolina.

s/ Henry F. Floyd  
HENRY F. FLOYD  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within sixty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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\*Plaintiff claims in docket entries 22 and 25 that he has received no information concerning his case. The Court observes that both of these entries contain the same document from Plaintiff, each with a postmark of December 29, 2010. Subsequently, on January 4, 2011, the Clerk mailed another copy of the Report to Plaintiff at his most recent address. Unlike the previous mailings, the Report sent to Plaintiff on January 4, 2011, has not been returned and Plaintiff has failed to file any objections.